

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 8:24-cv-00596-HDV-MAA

Date: April 14, 2025

Title Irving Aguilar-Calixto v. Jason Schultz

Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Cindy Delgado
Deputy Clerk

N/A

Court Reporter / Recorder

Attorneys Present for Petitioner:
N/A

Attorneys Present for Respondent:
N/A

Proceedings (In Chambers): Order to Show Cause Re: Dismissal for Lack of Prosecution

On July 29, 2024, the Court granted Petitioner's Motion for Stay and Abeyance pursuant to *Kelly v. Small*, 315 F.3d 1063 (9th Cir. 2003), and ordered Petitioner to file status reports every sixty (60) days updating the Court about the progress of his habeas petition(s) in the California courts. (ECF No. 13, at 6.)¹ Petitioner's most recent status report was filed on January 10, 2025. (ECF No. 18.) The Court reminds Petitioner of his obligation to file status reports. Because his status report is now one month past due, Petitioner is ordered to show cause, in writing, no later than **May 14, 2025**, why this action should not be dismissed for lack of prosecution. If Petitioner files a status report on or before **May 14, 2025**, this Order to Show Cause will be discharged, and no additional action need be taken.

Petitioner is cautioned that failure to respond to this Order may result in dismissal of the First Amended Petition without prejudice for failure to prosecute and/or failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See C.D. Cal. L.R. 41-1.

It is so ordered.

¹ Pinpoint citations in this Order reference the page numbers generated by CM/ECF headers.